

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	Case No.: 1:16-cv-10787
v.)	
)	Judge Jorge L. Alonso
JUNG JOO PARK, individually, and as a)	
representative of the estate of Que Te Park,)	Mag. Judge M. David Weisman
deceased; CHARLES C. PARK,)	
individually, and as a representative of the)	
estate of Que Te, deceased; JAMES PARK;)	
and NINA PARK,)	
)	
Defendants.)	

DEFENDANT JAMES PARK’S MOTION TO QUASH SERVICE OF SUMMONS

Defendant, JAMES PARK, (“James”), by his attorneys, DEWALD LAW GROUP PC, and for his Motion to Quash Service of Summons, states:

1. On February 28, 2019, an alias summons was issued by the Clerk of Court as to Defendant Jung Joo Park for service of the Third Amended Complaint (Dkt. 75) upon her. No document number was attached to the alias summons, therefore no reference to the record can be made.
2. On March 5, 2019, the alias summons was filed by Plaintiff and identified as having been executed as to Jung Joo Park on March 4, 2019. Dkt. 86.
3. A review of the return of service for the alias summons indicates that it was served via substitute/abode service upon James at his residence in Duluth, Georgia. *Id.*
4. Jung Joo Park does not reside with James at his residence in Duluth, Georgia, nor has she ever resided there. See Declaration of James Park, attached hereto as Exhibit 1. It is neither her dwelling house nor her usual place of abode. *Id.*

5. Jung Joo Park resides in South Korea and has resided there since as early as 2009. This fact is readily known and admitted by Plaintiff, as evidenced by the alias summons on the First Amended Complaint that Plaintiff purportedly served on Jung Joo Park in South Korea (Dkt. 26), in addition to other pleadings filed in this case, as well as Plaintiff's express statement that it would not attempt to serve Jung Joo Park until resolution of the pending Motion to Dismiss Third Amended Complaint (See Dkt. 78). See also Declaration of James Park at 4.

6. As such, the service of the alias summons upon James as substitute/abode service upon Jung Joo Park should be quashed, and the responsive pleading deadline set by the Court for Jung Joo Park should be stricken. James, as the recipient of the alias summons as substitute service upon Jung Joo Park, and as a party Defendant, has standing to bring the instant motion.

WHEREFORE, Defendant, JAMES PARK, respectfully request this Honorable Court to quash service of summons upon him as substitute/abode service upon Jung Joo Park, and for any and all other relief as the Court sees fit.

Respectfully Submitted,

JAMES PARK

By: /s/ Kevin K. McCormick (#6286831)
One of His Attorneys

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 15th day of March, he filed via ECF, and that a copy of James Park's Motion to Quash Service of Summons, was subsequently sent via electronic mail, to all parties of record.

By: /s/ Kevin K. McCormick
Kevin K. McCormick
One of His Attorneys

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